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13 IN THE JUVENILE COURT OF THE STATE OF ARIZONA
14
15 IN AND FOR THE COUNTY OF APACHE

16 IN THE MATTER OF) Case No. JV 2008-065
17)
18 CHRISTIAN RYAN ROMERO) STATE'S RESPONSE TO JUVENILE'S
19) MOTION FOR EXPERT (FALSE
20) CONFESSIONS)
21 A person under 18 years of age)
22) (Assigned to the Honorable
23) Michael Roca, Judge Pro Tem)

24 The State of Arizona, by and through undersigned counsel,
25 hereby responds to the juvenile's motion for appointment of
26 expert (false confessions) filed on or about November 21, 2008,
27 by stating it is premature

28 It would appear before the juvenile should delve into
issues regarding the possibility of a false confession, the
threshold question of whether the juvenile's interview is going
to be admissible at an adjudicatory hearing First, the issues
of voluntariness and juvenile *Miranda* should be addressed
Second, if any part of the interview is admitted, then it would
appear to the state that the request for an expert on false
confessions would be justifiable and relevant.

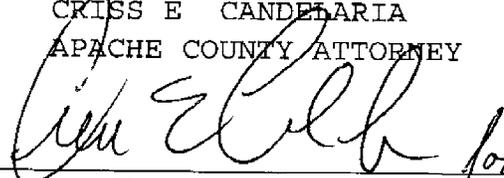
Furthermore, other rules suggest that the juvenile must
make a showing that the needed expert testimony is "reasonably

1 necessary" to adequately present a defense See 16A A.R.S.,
2 Rules of Crim. Proc., Rule 15 9 The juvenile has made no
3 showing

4 Therefore, the State respectfully requests the Court to
5 delay ruling on the juvenile's motion until after the Court's
6 decision on the admissibility of the juvenile's interview

7 Submitted this 25th day of November, 2008

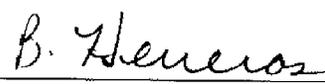
8 CRISS E CANDELARIA
9 APACHE COUNTY ATTORNEY

10 BY 
11 _____
12 Bradley W Carlyon
Special Prosecutor/Apache County

13 The original filed with the
14 Clerk of the Superior
15 Court and a copy delivered
16 this 25th day of November
17 2008 to

18 The Honorable Michael Roca
19 Apache County Superior Court
20 Judge *Pro Tem*

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